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| 09/988,338 | 11/19/2001 | Jean Sini | 19111.0061 | 8546 |
| 23517 | 7590 | 05/02/2005 | EXAMINER | |
| SWIDLER BERLIN LLP 3000 K STREET, NW BOX IP WASHINGTON, DC 20007 | | | HUTTON JR, WILLIAM D | |
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DATE MAILED: 05/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/988,338

Applicant(s)

SINI ET AL.

Examiner

Doug Hutton

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 January 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 November 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Applicant's Response

In Applicant's Response dated 13 January 2005, Applicant amended the Specification, amended Claims 1, 9 and 17, and argued against all objections and rejections previously set forth in the Office Action dated 20 October 2004.

The objection to the Specification is withdrawn.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-3, 9-11 and 17-19 remain rejected under 35 U.S.C. 102(e) as being anticipated by Lee et al., U.S. Patent No. 6,336,137.

Claim 1:

Lee discloses a method for automatically translating content (see Figure 2; see Column 1, Line 56 through Column 4, Line 10 – Lee discloses this limitation, as clearly indicated in the cited figure and text), comprising the steps of:

- invoking an application program in response to an indication from a user of a mobile device to do so (see Column 1, Line 17 through Column 2, Line 44 – Lee

discloses this limitation in that prior art Web client-server systems operated on the WWW and included both servers operating under the HyperText Transport Protocol and portable devices operating under the Wireless Application Protocol. This operating environment allowed users to easily reach a large number of third-party applications and content services. Thus, a user on a portable device “invoked” an application program whenever the user requested a web application.);

- scanning content generated by the application to locate translatable content (see Figure 2, Element 15; see Column 1, Line 17 through Column 2, Line 44 – Lee discloses this limitation in that prior art Web client-server systems included WAP gateway servers. WAP gateway servers enabled the transmission and reception of data between wireless devices and WWW servers by, during the exchange of data between them, translating the data into a language and/or protocol that the receiving components understood so that the components could process and/or display the data. Thus, a WAP gateway server, after receiving data from a WWW server that was generated by a web application, “scanned” the “content” of the data to locate any portion that would need to be translated before sending it to the portable device.);
- translating the located translatable content transmitted from the application program from an initial format of the content to a format supported by the mobile device, the format supported by the mobile device being different than the initial format of the content (see Figure 2, Element 15; see Column 1, Line 17 through

Column 2, Line 44 – Lee discloses this limitation in that prior art Web client-server systems included WAP gateway servers that translated data received from WWW servers into a format supported by portable devices, so that the data could be processed and/or displayed at the portable devices. One example of this comprises translating HyperText Markup Language into Wireless Markup Language. Thus, a WAP gateway server translated the “located translatable content” into a different format supported by the portable device.); and

- transmitting the translated content to the mobile device (see Figure 2, Element 15; see Column 1, Line 17 through Column 2, Line 44 – Lee discloses this limitation in that prior art Web client-server systems included WAP gateway servers that transmitted data to portable devices after translating it into the formats supported by the portable devices.).

Claim 2:

Lee discloses the method of Claim 1, wherein the initial format of the content is wireless markup language, extensible markup language, or hypertext markup language (see Column 2, Lines 25-44 – Lee discloses this limitation in that the WAP gateway server includes an HTML filter that converts the HTML into WML).

Claim 3:

Lee discloses the method of Claim 2, wherein format supported by the mobile device is wireless markup language, extensible markup language, or hypertext markup

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language (see Column 2, Lines 25-44 – Lee discloses this limitation in that the wireless device supports WML).

Claim 9:

Lee discloses a system for automatically translating content (see Figure 2; see Column 1, Line 56 through Column 4, Line 10 – Lee discloses this limitation, as clearly indicated in the cited figure and text), comprising:

- a processor operable to execute computer program instructions (see Column 5, Lines 11-41 – Lee discloses this limitation in that it includes a Web client-server computer system that includes processors that execute computer program instructions); and
- a memory operable to store computer program instructions executable by the processor (see Column 5, Lines 11-41 – Lee discloses this limitation in that it includes a Web client-server computer system that includes memory that stores the computer program instructions executable by the processor), for performing the steps of:
 - invoking an application program in response to an indication from a user of a mobile device to do so;
 - scanning content generated by the application to locate translatable content;
 - translating the located translatable content transmitted from the application program from an initial format of the content to a format

- supported by the mobile device, the format supported by the mobile device being different than the initial format of the content; and
- o transmitting the translated content to the mobile device (as indicated in the above rejection for Claim 1, Lee discloses these limitations).

Claims 10 and 11:

Claims 10 and 11 correspond to Claims 2 and 3, respectively. Thus, Lee discloses every limitation of these claims, as indicated in the above rejections for Claims 2 and 3.

Claim 17:

Lee discloses a system for automatically translating content (see Figure 2; see Column 1, Line 56 through Column 4, Line 35 – Lee discloses this limitation, as clearly indicated in the cited figure and text), comprising:

- a computer readable medium (see Column 4, Lines 13-35; see Column 5, Lines 11-41 – Lee discloses this limitation in that it includes a Web client-server computer system that includes software that executes computer program instructions); and
- computer program instructions, recorded on the computer readable medium, executable by a processor (see Column 4, Lines 13-35; see Column 5, Lines 11-41 – Lee discloses this limitation in that it includes a Web client-server computer

system that includes software that stores the computer program instructions executable by the processor), for performing the steps of:

- invoking an application program in response to an indication from a user of a mobile device to do so;
- scanning content generated by the application to locate translatable content;
- translating the located translatable content transmitted from the application program from an initial format of the content to a format supported by the mobile device, the format supported by the mobile device being different than the initial format of the content; and
- transmitting the translated content to the mobile device (as indicated in the above rejection for Claim 1, Lee discloses these limitations).

Claims 18 and 19:

Claims 18 and 19 correspond to Claims 2 and 3, respectively. Thus, Lee discloses every limitation of these claims, as indicated in the above rejections for Claims 2 and 3.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 4, 12 and 20 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Lee, in view of Major et al., U.S. Patent Application Publication No. US 2004/0073626 A1.

Claim 4:

As indicated in the above rejection, Lee discloses every element of Claim 1.

Lee fails to expressly disclose:

- before performing the translating step, determining a format supported by the mobile device.

Major teaches a method for automatically translating content (see Abstract – Major teaches this limitation, as clearly indicated in the cited text), comprising the step of:

- before performing a translating step, determining a format supported by a mobile device (see Paragraphs 0075-0077 – Major teaches this limitation in that the wireless device browser system determines whether the wireless device has a suitable converter, and, if not, converts the content to the appropriate format and transmits it to the wireless device),

for the purpose of rendering Web content on a wireless device browser (see Paragraph 0017).

Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the method for automatically translating content, disclosed in Lee, to include:

- before performing the translating step, determining a format supported by the mobile device,

for the purpose of rendering Web content on a wireless device browser, as taught by Major.

Claim 12:

Claim 12 corresponds to Claim 4. Thus, Lee, in view of Major, discloses/teaches every limitation of this claim, as indicated in the above rejection for Claim 4.

Claim 20:

Claim 20 corresponds to Claim 4. Thus, Lee, in view of Major, discloses/teaches every limitation of this claim, as indicated in the above rejection for Claim 4.

Claims 5-8, 13-16 and 21-24 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Lee, in view of Major, and further in view of Dutta et al., U.S. Patent No. 6,615,212.

Claim 5:

As indicated in the above rejection, Lee, in view of Major, discloses/teaches every element of Claim 4.

Lee, in view of Major, fails to expressly disclose/teach:

- translating the content transmitted from the application program from the initial format of the content to an intermediate format of the content, wherein the intermediate format is different than the initial format.

Dutta teaches a method for automatically translating content (see Figure 4; see Column 1, Lines 9-11 – Dutta teaches this limitation, as clearly indicated in the cited figure and text), comprising the steps of:

- translating the content transmitted from the application program from the initial format of the content to an intermediate format of the content, wherein the intermediate format is different than the initial format (see Column 6, Lines 47-58; see Column 8, Lines 23-43 – Dutta teaches this limitation in that the transcoding proxy server transcodes the content from the origin server into an intermediate format that is different from the original format of the content); and
- translating the intermediate format of the content to the format supported by the mobile device, wherein the intermediate format is different than the format supported by the mobile device (see Column 6, Lines 47-58; see Column 8, Lines 23-43 – Dutta teaches this limitation in that the transcoding proxy server

transcodes the content in the intermediate format into a final format that is different from the intermediate format and transmits it to the wireless device), for the purpose of minimizing content transmission times (see Column 2, Lines 25-35).

Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the method for automatically translating content, disclosed in Lee, in view of Major, to include:

- translating the content transmitted from the application program from the initial format of the content to an intermediate format of the content, wherein the intermediate format is different than the initial format; and
- translating the intermediate format of the content to the format supported by the mobile device, wherein the intermediate format is different than the format supported by the mobile device,

for the purpose of rendering Web content on a wireless device browser, as taught by Dutta.

Claim 6:

Lee discloses a method for automatically translating content, wherein the initial format of the content is wireless markup language, extensible markup language, or hypertext markup language (see Figure 2; see Column 2, Lines 25-33 – Lee discloses this limitation in that the WAP gateway server translates data received from the WWW

server, that is encoded in HTML, into WML, a format understood by the wireless device).

Claim 7:

As indicated in the above rejection, Lee, in view of Major, discloses/teaches every element of Claim 6.

Lee, in view of Major, fails to expressly disclose/teach a method for automatically translating content, wherein the intermediate format of the content is wireless markup language, extensible markup language, or hypertext markup language.

Dutta teaches a method for automatically translating content, wherein the intermediate format of the content is wireless markup language, extensible markup language, or hypertext markup language (see Column 6, Line 47 through Column 7, Line 12; see Column 7, Lines 56-62; see Column 8, Lines 23-43 – Dutta teaches this limitation in that the transcoding proxy server transcodes the content from the origin server into HTML or XML), for the purpose of minimizing content transmission times (see Column 2, Lines 25-35).

Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the method for automatically translating content, disclosed in Lee, in view of Major, to include an intermediate format of the

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content that is wireless markup language, extensible markup language, or hypertext markup language for the purpose of rendering Web content on a wireless device browser, as taught by Dutta.

Claim 8:

Lee discloses a method for automatically translating content, wherein the format supported by the mobile device is wireless markup language, extensible markup language, or hypertext markup language (see Figure 2; see Column 2, Lines 25-33 – Lee discloses this limitation in that the WAP gateway server translates data received from the WWW server, that is encoded in HTML, into WML, a format understood by the wireless device).

Claims 13-16:

Claims 13-16 correspond to Claims 5-8, respectively. Thus, Lee, in view of Major, and further in view of Dutta, discloses/teaches every limitation of these claims, as indicated in the above rejections for Claims 5-8.

Claims 21-24:

Claims 21-24 correspond to Claims 5-8, respectively. Thus, Lee, in view of Major, and further in view of Dutta, discloses/teaches every limitation of these claims, as indicated in the above rejections for Claims 5-8.

Response to Arguments

Applicant's arguments filed 13 January 2005 have been fully considered but they are not persuasive.

Arguments for Claims 1, 9 and 17:

Applicant argues that Lee fails to disclose "scanning content to locate translatable content" and "translating the located translatable content" because Lee only discloses translating WWW content into WAP content. See *Applicant's Response* – Page 10, third full paragraph through Page 11, second paragraph.

The examiner disagrees.

As explained in the above rejection for Claims 1, 9 and 17, Lee discloses: 1) the WWW server sends data to the WAP gateway server; and 2) the WAP gateway server translates the data before transmitting the data to the portable device. Thus, during the translation of the data, the WAP gateway server "scans" the data and "locates translatable content" before transmitting it to the portable device.

Moreover, Lee expressly discloses the server: 1) parses a request from a wireless client; 2) recovers information concerning the request from a repository; and 3) renders a page to the client including information and views in the language supported by the client (see Column 9, Lines 49-60). Also, Lee expressly discloses the WAP gateway server: 1) processes data received from a web server, wherein the data includes an HTTP header and WML content; 2) encodes the data to binary form; and 3) creates a WAP response containing the WML that is transmitted to the portable client

(see Column 3, Lines 40-62). These portions of Lee disclose “scanning content to locate translatable content” and “translating the located translatable content” in that the WAP server can receive from a web server data in a plurality of different languages and protocols and translate that data to the language and protocol that is supported by the portable device.

Accordingly, Lee discloses “scanning content to locate translatable content” and “translating the located translatable content.”

Arguments for Claims 4, 12 and 20:

Applicant argues that Claims 4, 12 and 20 are not obvious over Lee in view of Major, because Major fails to disclose or suggest “scanning content to locate translatable content and translating the located translatable content.” See *Applicant’s Response* – Page 11, third full paragraph through Page 12, second paragraph.

The examiner disagrees.

Claims 4, 12 and 20 are rejected under 35 U.S.C. 103. As indicated in the above rejection for Claims 1, 9 and 17, Lee discloses “scanning content to locate translatable content” and “translating the located translatable content.” Thus, whether Major discloses or suggests this limitation is irrelevant.

Arguments for Claims 5-8, 13-16 and 21-24:

Applicant argues that Claims 5-8, 13-16 and 21-24 are not obvious over Lee in view of Major, and further in view of Dutta, because Dutta fails to disclose or suggest

“scanning content to locate translatable content” and “translating the located translatable content.” See *Applicant’s Response* – Page 12, third through fifth paragraphs.

The examiner disagrees.

Claims 5-8, 13-16 and 21-24 are rejected under 35 U.S.C. 103. As indicated in the above rejection for Claims 1, 9 and 17, Lee discloses “scanning content to locate translatable content” and “translating the located translatable content.” Thus, whether Dutta discloses or suggests this limitation is irrelevant.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Doug Hutton whose telephone number is (571) 272-4137. The examiner can normally be reached on Monday-Friday from 8:00 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon, can be reached at (571) 272-4136. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-2100.

WDH

April 25, 2005


HEATHER R. HERNDON
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100